

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

JANE DOE as Next Friend of  
MINOR DOE, a Minor,

Plaintiff,

Case No. 1:22-cv-11818  
Hon. Thomas L. Ludington

v.

DEBRA LEINER, JAMES BAILEY, and  
D. BRUCE MARTIN, in their Official  
and Individual capacities, and SAGINAW  
TOWNSHIP COMMUNITY SCHOOLS,

Defendants.

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**PLAINTIFF'S ANSWERS TO DEFENDANT'S INTERROGATORIES**

NOW COMES Plaintiff JANE DOE as Next Friend of MINOR DOE, a  
Minor, by and through her attorneys, THE MASTROMARCO FIRM, and hereby

answers Defendants DEBRA LEINER, JAMES BAILEY, and D. BRUCE MARTIN, in their Official and Individual capacities, and SAGINAW TOWNSHIP COMMUNITY SCHOOLS, under the provisions of Federal Rules of Civil Procedure 33 and the various subsections thereof, and hereby answers Defendant's Notice of Interrogatories as follows:

### **GENERAL OBJECTIONS**

1. That Plaintiff objects to these discovery requests to the extent that they purport to place a greater obligation on Plaintiff than that provided for under the Federal Court Rules
2. That Plaintiff objects to these discovery requests to the extent that they request information not presently available to Plaintiff and her attorneys. Future discovery and independent investigation may supply additional facts or information, add meaning to known facts, and/or establish entirely new factual conclusions and contentions, all of which may lead to substantial additions to, changes in, and variations from the responses set forth herein.
3. That Plaintiff objects to these discovery requests to the extent that they purport to impose upon Plaintiff a duty to respond with information that is not within his possession, custody, or control.
4. That Plaintiff objects to these discovery requests to the extent that they call for information outside of the relevant time frame for discovery based upon the pleadings and allegations in this case.
5. That Plaintiff objects to these discovery requests to the extent that they seek production of documents protected by the attorney-client privilege, work product doctrine, and/or any other applicable privilege.
6. That Plaintiff objects to these discovery requests to the extent that they call for the preservation or production of electronically stored information that is not

required under the law (e.g., preserving duplicate information on back-up tapes or making forensic mirror-image copies of hard drives). Plaintiff will undertake reasonable inquiries, in good faith, to identify, locate, and preserve unique (i.e., non-duplicative) copies of relevant electronically stored information.

7. That Plaintiff objects to these discovery requests to the extent that they call for preservation or production of multiple copies of the same document.

### **INTERROGATORIES**

1. Please set forth the Plaintiff and Plaintiffs minor's full legal name, address, date of birth, social security number and place of birth.

**ANSWER:**

**Julie Marie Miller (Mother of Minor)**

**DOB: 05-15-1985**

**SSN: 368-96-9061**

**4227 Brockway Road, Saginaw, MI 48602**

**Andrew Miller (Father of Minor)**

**DOB: 01-24-1981**

**4227 Brockway Road, Saginaw, MI 48602**

**Elsie Mae Miller (Plaintiff) Subject to the court this minor name is not to be published in the court.**

**DOB: 05-13-2014**

**SSN: 164-63-9877**

**4227 Brockway Road, Saginaw, MI**

2. Please set forth the specific damages that the Plaintiff and Plaintiffs minor are alleging to have suffered as a result of the incident described in the Complaint.

**ANSWER:**

**Plaintiff anticipates calling expert economist Frank P. Stafford, Ph.D., who will provide a calculation of Plaintiff's lost damages. Dr. Stafford will be preparing an expert report, which will detail his method and calculations.**

**Plaintiff will supplement this Answer by providing Defendant with a copy of said report upon its completion and receipt by Plaintiff's counsel. Dr. Stafford's qualifications are outlined in his curriculum vitae, a copy of which is attached hereto.**

3. Please identify with specificity any and all complaints that were made to Defendants, its agents, representatives, employees or servants regarding the events as alleged in the Plaintiffs Complaint. Please include whether said complaints were in writing or verbally identified and identify the name, address and telephone number of the person who had been the recipient of the complaints and the date or dates of the communications of the complaints.

**ANSWER:**

- **May 14, 2022: complaint via email to Principal James Bailey, 3465 N. Center Road, Saginaw, MI 48603, Tel. (989) 797-1800**
- **May 17, 2022: communication via text to Principal James Bailey, 3465 N. Center Road, Saginaw, MI 48603, Tel. (989) 797-1800**
- **May 18, 2022: communication via phone to Principal James Bailey, 3465 N. Center Road, Saginaw, MI 48603, Tel. (989) 797-1800**
- **May 18, 2022: communication via text to Principal James Bailey, 3465 N. Center Road, Saginaw, MI 48603, Tel. (989) 797-1800**
- **May 20, 2022: communication via phone to Superintendent Bruce Martin, 3465 N. Center Road, Saginaw, MI 48603, Tel. (989) 797-1800**

4. State the location, names, and addresses of all schools that the Plaintiff's minor has attended throughout the course of her lifetime, including dates attended.

**ANSWER:**

- **Hemmeter Elementary School: Attended Kindergarten 2019-2020**  
**1890 Hemmeter Road, Saginaw, MI 48638, Tel. (989) 793-4250**
- **Handley Elementary School: Attendance 2022-2023**  
**224 Elm Street, Saginaw, MI 48602, Tel. (989) 475-4600**

5. List the name, address, telephone number of all physicians, psychiatrists, psychologists, counselors or medical doctors to whom the Plaintiff has been examined, diagnosed, treated or counseled for a period of ten years past through the current date. List the nature of the treatment of each and every treating physician listed in Interrogatory No. 5.

**ANSWER:**

- **Dr. Bethany Malott, P. A. Saginaw Valley Family Care**  
**5200 State St. Saginaw, MI 48603**
- **Mica Brownsfield, MA, NCC, LPC; Manifest Life Counseling**  
**6225 Gratiot Rd. Saginaw, MI 48638**

6. List the name, address and telephone number of any and all expert witnesses that will be relied upon by the Plaintiff and Plaintiffs minor, stating as follows:
- a) The complete name, address and telephone number of said expert;
  - b) The date and/or dates upon which said expert was contacted or retained by or on behalf of the Plaintiff;

- c) The nature of the profession, occupation or business of said expert witness;
- d) The educational background of said expert witness.

**ANSWER:**

- a) **Frank P. Stafford, 3535 Daleview Ann Arbor, Michigan 48105, Tel. (734) 502-0532**
- b) **Retained on 05/20/2022**
- c) **Expert Economist Ph.D.**
- d) **University of Chicago, Graduate School of Business, 1964, B.A.**  
**University of Chicago, Graduate School of Business, 1968, M.B.A.**  
**Northwestern University, 1962**

7. Describe fully and in detail all facts which you believe or rely upon to support the allegation that forms the basis of your violation of the Due Process Clause of the Fourteenth Amendment & 42 U.S.C. § 1983 claim against Defendants and describe all incidents that you believe will support this claim.

**ANSWER:**

**Plaintiff objects to this on the basis that the question is seeking opinion work product. Plaintiff has not waived the right to work product and this question calls for mental impressions, opinions, conclusions, judgments, or legal theories.” See *In re Columbia/HCA Healthcare Corp. Billing Pracs. Litig.*, 293 F.3d 289, 294 (6th Cir. 2002)**

8. Describe fully and in detail all facts which you believe or rely upon to support the allegation that forms the basis of your violations of the Equal Protection

Clause of the Fourteenth Amendment & 42 U.S.C. § 1983 claim against

Defendants and describe all incidents that you believe will support this claim.

**ANSWER:**

**Plaintiff objects to this on the basis that the question is seeking opinion work product. Plaintiff has not waived the right to work product and this question calls for mental impressions, opinions, conclusions, judgments, or legal theories.” See *In re Columbia/HCA Healthcare Corp. Billing Pracs. Litig.*, 293 F.3d 289, 294 (6th Cir. 2002)**

9. Describe fully and in detail all facts which you believe or rely upon to support the allegation that forms the basis of your sex discrimination in violation of Title IX of the Education Amendments of 1972 claim against Defendants and describe all incidents that you believe will support this claim.

**ANSWER:**

**Plaintiff objects to this on the basis that the question is seeking opinion work product. Plaintiff has not waived the right to work product and this question calls for mental impressions, opinions, conclusions, judgments, or legal theories.” See *In re Columbia/HCA Healthcare Corp. Billing Pracs. Litig.*, 293 F.3d 289, 294 (6th Cir. 2002)**

10. Describe fully and in detail all facts which you believe or rely upon to support the allegation that forms the basis of your sex discrimination in violation of Article III of the Michigan Elliott-Larsen Civil Rights Act claim against Defendants and describe all incidents that you believe will support this claim.

**ANSWER:**

**Plaintiff objects to this on the basis that the question is seeking opinion work product. Plaintiff has not waived the right to work product and this question calls for mental impressions, opinions, conclusions, judgments, or legal theories.” See *In re Columbia/HCA Healthcare Corp. Billing Pracs. Litig.*, 293 F.3d 289, 294 (6th Cir. 2002)**

11. Describe fully and in detail all facts which you believe or rely upon to support the allegation that forms the basis of your sex discrimination in violation of Article IV of the Michigan Elliott-Larsen Civil Rights Act claim against Defendants and describe all incidents that you believe will support this claim.

**ANSWER:**

**Plaintiff objects to this on the basis that the question is seeking opinion work product. Plaintiff has not waived the right to work product and this question calls for mental impressions, opinions, conclusions, judgments, or legal theories.” See *In re Columbia/HCA Healthcare Corp. Billing Pracs. Litig.*, 293 F.3d 289, 294 (6th Cir. 2002)**

12. Describe fully and in detail all facts which you believe or rely upon to support the allegation that forms the basis of your sex discrimination in violation of the Michigan Equal Accommodations Act claim against Defendants and describe all incidents that you believe will support this claim.

**ANSWER:**

**Plaintiff objects to this on the basis that the question is seeking opinion work product. Plaintiff has not waived the right to work product and this question calls for mental impressions, opinions, conclusions, judgments, or legal theories.” See *In re Columbia/HCA Healthcare Corp. Billing Pracs. Litig.*, 293 F.3d 289, 294 (6th Cir. 2002)**



13. List all medical bills and expenses which you claim to be part of the claim for damages, including the names of the attending and consulting physicians and other healthcare practitioners, the amounts of the respective bills of service, the names of all hospitals or other institutions regarding treatment to you as a result of the instances referred to in the Complaint and the amounts of the respective bills of service. Attach copies of all bills or services referenced in response to these Interrogatories.

**ANSWER:**

**Please see Answer #2.**

14. Other than this alleged incident, state whether you, including Plaintiff's minor, have ever had a claim made or lawsuit filed against you. If so, for each, state:

- a) The date, place, court, tribunal, agency, or other institution where the claim was filed;
- b) The name of the claimant / plaintiff and his / her / their attorney(s);
- c) The precise nature of the claim or lawsuit, whether due to a personal injury or other incident;
- d) The disposition of the claim or lawsuit.

**ANSWER:**

**Plaintiff has not been involved in a lawsuit.**

I DECLARE THE ABOVE STATEMENTS ARE TRUE TO THE BEST OF MY  
KNOWLEDGE AND BELIEF

Dated: \_\_\_\_\_

\_\_\_\_\_  
JANE DOE, as Next Friend of  
MINOR DOE, a Minor

As to Objections:

\_\_\_\_\_  
Attorney for Plaintiff

Subscribed and Sworn to before me,  
a notary public, this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Leah Y. Arnold, Notary Public

\_\_\_\_\_  
County, Michigan

My commission expires: \_\_\_\_\_

PROOF OF SERVICE

The undersigned certifies that a copy of the  
foregoing document was served upon the attorneys  
of record of all parties in the above cause  
by emailing same to them at their respective  
business addresses this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

Signature \_\_\_\_\_

